

ESTTA Tracking number: **ESTTA604528**

Filing date: **05/15/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91208602
Party	Defendant Jefferson Audio Video Systems, Inc.
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Submission	Stipulated/Consent Motion to Extend
Filer's Name	Monica L. Dias
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Signature	/mld/
Date	05/15/2014
Attachments	Consented Motion to Extend Time.pdf(8168 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF: Trademark Application Serial Nos. 85/531,119 and 85/531,110

DATE OF PUBLICATION: June 26, 2012 (85/531,119) and July 10, 2012 (85/531,110)

Oracle America, Inc.,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition Proceeding No. 91208602
	:	
Jefferson Audio Video Systems, Inc.,	:	
	:	
Applicant.	:	

**CONSENTED MOTION TO EXTEND TIME, INCLUDING REQUESTED REPORT**

Applicant hereby moves the Trademark Trial and Appeal Board to extend time for Applicant to file its answer by an additional 30 days, through and including June 24, 2014, and to extend all other deadlines by 30 days. As discussed more fully below, good cause exists to grant the motion. The parties have agreed to settlement terms, and no issues remain to be resolved. However, the parties require additional time to execute the confidential settlement agreement and to complete its agreed-upon terms. Undersigned counsel for Applicant has conferred with Opposer's counsel, and Opposer has consented to this motion.

On February 25, 2014, Technical Program Manager Denise DelGizzi granted Applicant's consented motion to extend time to file its answer and to extend conferencing, disclosure, discovery and trial dates, and set a deadline of May 25, 2014 for Applicant to file its answer. In granting the consented motion, the Technical Program Manager stated that any future motion to extend, suspend, or reopen must be supported by a detailed report to establish good cause. The report is to recite "(1) the dates on which the parties have communicated since the last motion, (2) the method of each

communication (e.g., telephone, email, in-person, etc.), (3) the general nature of each communication, (4) a list of issues that have been resolved, (5) a list of issues that remain to be resolved or remain for trial, and (6) a proposed timetable for resolution of the unresolved issues; failing which, the prospective motion may not be approved, even if consented by the parties.”

Applicant and Opposer have worked diligently since the Opposition was filed to resolve this matter and have reached a settlement agreement, the terms of which are confidential. Specifically, since the last motion was granted on February 25, 2014, counsel for Opposer and Applicant have communicated several times to reach an agreement on settlement terms, with those communications occurring by phone and email, including but not limited to the following dates: March 20, 2014, April 10, 2014, April 11, 2014, April 28, 2014, April 29, 2014, May 5, 2014, and May 6, 2014. All issues were resolved as a result of those communications. On May 8, 2014, Applicant signed and forwarded the confidential settlement agreement to Opposer for Opposer’s signature. However, because of travel to and attendance at the International Trademark Association annual conference in Hong Kong, Oracle has not yet been able to execute the settlement agreement. In addition, undersigned counsel’s overseas travel from May 17-May 26, 2014 will make it difficult to complete the agreed-upon terms of the settlement agreement by May 25, 2014. A 30-day extension of time of all deadlines in this case, including the answer deadline, will allow the parties to fully execute the agreement and complete its agreed-upon terms.

For all these reasons, Applicant respectfully submits that good cause exists to grant the 30-day extension of time file for Applicant to file its answer, through and including June 24, 2014, and for all other deadlines in this case. Applicant respectfully requests that the Board grant the extension.

Date: May 15, 2014

Respectfully submitted,

/Monica L. Dias/

Monica L. Dias

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*Attorney for Applicant*

*Jefferson Audio Video Systems, Inc.*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the CONSENTED MOTION TO EXTEND TIME, INCLUDING REPORT was served by Regular First Class Mail and email to Addressee, postage prepaid, on Larry A. Tronco and Betsy Proffitt, Holland & Hart LLP, One Boulder Plaza, 1800 Broadway Street, Suite 300, Boulder, Colorado 80302, [lhtronco@hollandhart.com](mailto:lhtronco@hollandhart.com), [bdproffitt@hollandhart.com](mailto:bdproffitt@hollandhart.com), [docket@hollandhart.com](mailto:docket@hollandhart.com), attorneys for Opposer, on this 15th day of May, 2014.

/Monica L. Dias/

Monica L. Dias

Attorney for Applicant

4814-2917-5835v1